



# Guidance Document for Applying for Ecology's General Permit to Discharge Stormwater Associated with CONSTRUCTION Activity

## Who Should Read This Brochure?

- *Developers*
- *Contractors*
- *Consultants*
- *Home Builders*
- *Local Governments*

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*Ecology is an equal opportunity and affirmative action employer.*

*September 1996*





# Introduction

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## Why does Ecology have a stormwater permit for construction?

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Ecology's stormwater permit for construction activities is required by federal regulations (40 CFR, Parts 122, 123, and 124 Subchapter D which implements the Federal Clean Water Act 1987, Section 402 (p)). The goal of the permit is to reduce or eliminate stormwater pollution and other impacts to surface waters from construction sites.

## What type of construction activities need Ecology's permit?

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Clearing, grading, or excavating activities which will disturb **five acres** or more of land area and which will discharge stormwater from the site into surface water(s), or into storm drainage systems which discharge to a surface water.



Recommendation: Schedule earthwork for the dry season.

## How to apply the five acre threshold

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A stormwater permit from Ecology is not required when less than five acres of total land area will be disturbed. However, if the construction is "part of a larger common plan of development or sale," defined as a contiguous area where multiple separate and distinct construction activities may be taking place on different schedules under one plan, the total area that will be disturbed must be considered. For example, if the total land area to be disturbed in the phased construction of a subdivision totals five acres or more, Ecology's stormwater permit must be obtained prior to beginning construction on the first phase.

**Note:** Only those phases for which the SEPA (State Environmental Policy Act) requirements have been completed, may receive permit coverage.

**For construction of subdivisions**, the five acre threshold which triggers the permit requirements applies only to land which is disturbed by the land owner, land owner's representative, or a contractor to the land owner. If the owner (or the owner's representative or contractor) is only **installing roads and utilities**, only land disturbed for that construction should be calculated to determine whether the five acre threshold will be exceeded. Land to be disturbed by **independent contractors** who purchase lots from the owner should not be considered when deciding the owner's responsibilities, unless the individual lots are disturbed (e.g., by grading) prior to being sold.

If an independent contractor has purchased contiguous individual lots which will disturb a total of five acres or more, that contractor must obtain a stormwater permit from Ecology.

Any construction activity discharging stormwater which Ecology determines to be a **significant contributor** of pollutants to waters of the state may be required to have permit coverage regardless of the project size.

## Who needs to apply?

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The **site owner** is the permittee and is responsible to apply for and comply with the permit. At construction sites for which a lease, easement, or other use agreement has been obtained from the site owner, the entity obtaining the use agreement is required to apply.

**Note:** Ecology's stormwater permit is required even though you may have acquired permit(s) from the local government for your construction site. Ecology's permit does not supersede more stringent requirements of the local government

## What type of sites do not need the permit?

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- Sites at which the total area to be disturbed is **less than five acres**.
- Sites at which all the stormwater is **retained** on site (discharges to the ground through infiltration basins, dry wells, drain field, or other means of discharge to the ground).
- Construction projects owned by a **municipality** with a population of less than 100,000.
- Any part of a facility with a stormwater discharge resulting from **remedial action** conducted by the U.S. Environmental Protection Agency (USEPA) or Ecology or a potentially liable/responsible person under an order or consent decree issued under the Comprehensive Environmental Response, Compensation, and Liability Act.

## What type of sites do not need the permit? (cont.)

- **Emergency** construction required to protect public health and safety.
- Construction activity for **routine maintenance** of existing facilities to maintain original line and grade, or hydraulic capacity.
- Nonpoint source silvicultural (forestry) activities.

**Note:** A stormwater permit is required for clearing activities associated with conversion of timberland for future development, if five acres or more are disturbed.

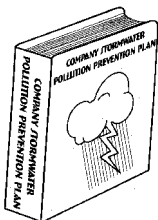
- **Federally**-owned or operated projects, projects on **tribal** land, or projects discharging directly to tribal waters which have USEPA approved Water Quality Standards.
- Facilities covered under **existing NPDES** individual or general permits in which **stormwater** management or treatment associated with construction activity is **already addressed**.

## When to apply

At least 38 days prior to any clearing, grading, or excavating activities.

## How to apply for a Stormwater Permit

The Notice of Intent (NOI) is the official permit application. The NOI is a simple two page form which requests information about your facility. (A NOI is included with this brochure.) Owners of construction projects which need a stormwater permit should mail a NOI to the Dept. of Ecology, Water Quality Program, Stormwater Unit, PO Box 47696, Olympia, WA 98504-7696.



## What does the permit require?

The permit requires implementation of a Stormwater Pollution Prevention Plan (SWPPP). A SWPPP for construction activities is primarily a temporary erosion and sediment control plan (ESC). This plan is to be implemented prior to

and maintained throughout the entire life of the construction project. (see page 3)

## Before submitting your application for a stormwater permit, you should:

- ☒ Develop a Stormwater Pollution Prevention Plan.
- ☒ Comply with the State Environmental Impact Statement (SEPA).
- ☒ Draft your public notice.

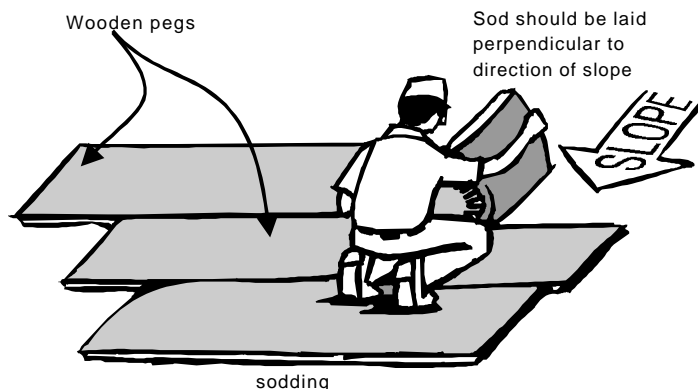
## Permit fees

There is no application fee; however, state law requires that all permittees pay an annual permit fee. As of September 1996, the annual permit fee is \$291. Fees are set by state regulation, and may be changed only by amendment of the regulation. Permittees will be billed soon after receiving their permit. Thereafter, Ecology bills permittees annually. Bev Poston, Fee Administrator, at (360) 407-6425, can answer your questions concerning fees.

## How and when to terminate your permit

When soil disturbing activities have ceased and all exposed soils have a permanent vegetative cover, or equivalent permanent stabilization measure which will prevent erosion, the permittee shall submit a Notice of Termination form (found in the back of your permit booklet) to the Department of Ecology, Water Quality Program, Stormwater Unit, PO Box 47696, Olympia, WA 98504-7696.

**Note:** The permit fees continue until Ecology receives the Notice of Termination form.



Revegetation is an excellent form of erosion control

## Penalties for failure to apply for and comply with the permit

Owners of construction sites should be aware that the discharge of stormwater without Ecology's permit is a **violation of state and federal law** and may bring enforcement action by Ecology or citizens' law suits.

Failure to comply with the permit requirements is also subject to legal action. Ecology can issue penalties of up to \$10,000 a day for each violation.

# Erosion and Sediment Control Plan

The permit requires the implementation, monitoring, and maintenance of a Stormwater Pollution Prevention Plan (SWPPP). Since erosion and sedimentation caused by land development damages the environment, a plan for erosion and sediment control (ESC Plan) should be the primary focus of the SWPPP.

The SWPPP, the permit application, inspection reports, and any related information shall be kept on or near the construction site. A **contact person** shall be designated who will be **available 24 hours a day** to respond to inquiries or directives from Ecology.

## Objectives of the Erosion and Sediment Control (ESC) Plan

- To implement Best Management Practices (BMPs) for identifying, reducing, eliminating, or preventing sediment and erosion problems on site.
- Prevent violations of surface and ground water quality and sediment management standards.
- Prevent impacts to receiving waters from peak rates and volumes of stormwater runoff.

## ESC Plan contents and requirements (*abbrev.*)

1. The ESC Plan shall include stabilization BMPs. Stabilization practices may include: temporary/permanent seeding, mulching, geotextiles, sod stabilization, vegetative buffer strips, protection of trees, and preservation of mature vegetation. The plan shall ensure the following:
  - ☒ All exposed and unworked soils shall be stabilized by suitable and timely application of BMPs.
  - ☒ Existing vegetation should be preserved where attainable.
  - ☒ Cut and fill slopes shall be designed and constructed to minimize erosion.
  - ☒ Stabilization should be adequate to prevent erosion of conveyance outlets and stream banks.
  - ☒ All storm drain inlets made operable during construction shall be properly maintained.
  - ☒ Sediment (mud) onto paved roads from construction site shall be kept to a minimum. Adjacent road surfaces shall be cleaned on a regular basis.

2. **Structural** practices shall include a description of BMPs to divert flows from exposed soils, store flows, or otherwise limit runoff and pollutants from exposed areas of the site. Examples include: silt fences, earth dikes, drainage swales, sediment traps, check dams, subsurface drains, pipe slope drains, level spreaders, storm drain inlet protection, rock outlet protection, reinforced soil retaining systems, gabions and sediment basins. The plan shall ensure the following:

- ☒ Prior to leaving the site, stormwater shall pass through a sediment pond or sediment trap, or other appropriate BMPs.



- ☒ Adjacent properties shall be protected from sediment deposition.
- ☒ Sediment ponds and traps, perimeter dikes, sediment barriers, and other BMPs intended to trap sediment on-site shall be constructed as a first step in grading.
- ☒ Properties and waterways downstream from the construction site shall be protected from impacts due to stormwater runoff.
- ☒ All temporary erosion and sediment control BMPs shall be removed within 30 days after final site stabilization. Trapped sediment shall be removed or stabilized on site.
- ☒ All BMPs shall be inspected, maintained, and repaired as needed. All on-site erosion and sediment control measures shall be inspected at least once **every seven days** and within **24 hours** after any storm event of greater than **0.5 inches** of rain per **24 hour period**.



All pollutants other than sediment that occur on-site during construction shall be handled and disposed of in a manner that does not cause contamination of stormwater.

## Public Notice requirements

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Along with your NOI application, submit a typed or legible copy of the public notice which will be submitted to the newspaper, the dates it will be published, and the name of the newspaper. The notice must be published once each week for two consecutive weeks in a single newspaper which has circulation in the county in which the construction is to take place. The notice must contain the following:

- A statement that the applicant is seeking coverage under the Washington Department of Ecology's National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges Associated with Construction Activities.
- The name, address (or location description) of the construction site.
- The name and address of the applicant.
- A description of the applicant's construction activities and areas from which a stormwater discharge will occur, name(s) of receiving water(s).
- The statement:  
"Any person desiring to present their views to the Department of Ecology concerning this application, or interested in the Department's action on this application may notify the Department of Ecology in writing within 30 days of the last date of publication of this notice. Comments can be submitted to: Department of Ecology, PO Box 47696, Olympia WA 98504-7696."

Permit coverage will not be granted sooner than 31 days from the date of the second public notice.

Ecology is no longer requiring the submittal of the affidavit of publication. The applicant must instead provide the dates that the first and second public notices will appear and the name of the newspaper which will run the public notices. A copy of the notice to be published must also be submitted along with the NOI.

### **Example of Public Notice for the Newspaper**

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ABC Construction Company, 555 Sixth Avenue NE, Anytown, WA 98000, is seeking coverage under the Washington Department of Ecology's NPDES Permit for Stormwater Discharges Associated with Construction Activities.

The proposed project is for the construction of a single family subdivision, consisting of 78 lots, known as Anytown Acres. The project is located in the City of Anytown on the corner of 35th and Willow Street and will disturb approximately 120 acres of land for roads, utility corridors and single family homes. Stormwater will be discharged from ≈52 acres to the northeast into Little Creek and from ≈26 acres to the southwest into Big Creek.

Any person desiring to present their views to the Department of Ecology concerning this application, or interested in the Department's action on this application may notify the Department of Ecology in writing within 30 days of the last date of publication of this notice.

Comments can be submitted to: Department of Ecology, PO Box 47696, Olympia, WA 98504-7696.

Dates of publication in Daily Times Tribune: July 21st and July 28th, 1997

# Where to get help

## For questions on the application or termination form:

Linda Matlock, *Environmental Specialist* . (360) 407-6437

Glenn Pieritz, *Engineer* . . . . . (360) 407-6436

## For permit fee questions:

Bev Poston, *Fee Administrator* . . . . . (360) 407-6435

## Stormwater FAX machine and Request Line numbers:

FAX Machine No. . . . . (360) 407-6426

Request Telephone No. . . . . (360) 407-7156

## Ecology Regional Offices

### For questions concerning a specific construction site:

Call the Ecology staff person assigned to your county.  
For example, call if:

- You need clarification on whether your SWPPP is adequate.
- Significant erosion or discharge of sediment is occurring despite your efforts.
- The construction activity is finished and assistance is needed to determine if the site is stabilized sufficiently to terminate the permit.

## Additional information on developing your Stormwater Pollution Prevention Plan

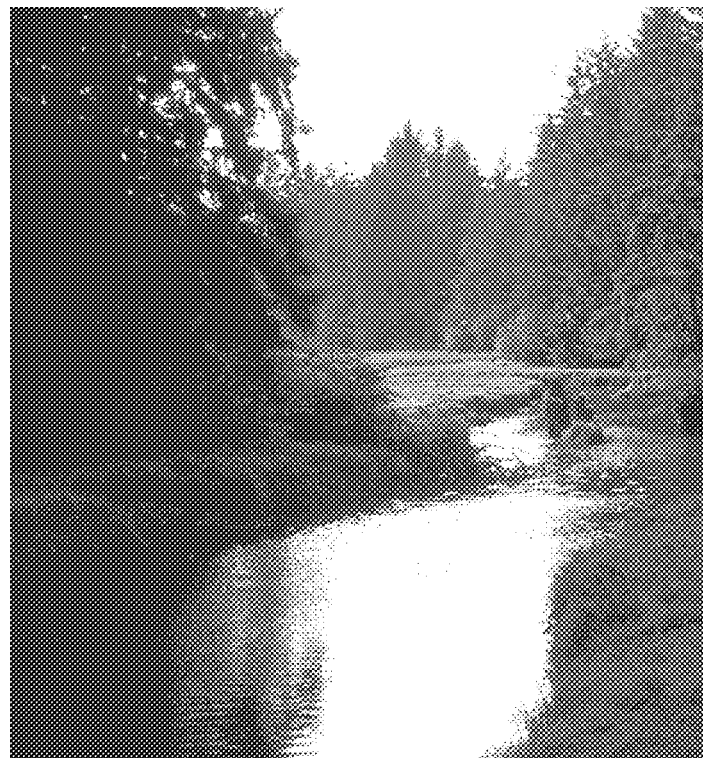
### "Stormwater Management Manual for the Puget Sound Basin"

WA Dept. of Ecology, Publication No. **WDOE 91-75**.  
This manual is useful to developers, engineers, and construction contractors who need guidance to control erosion and sedimentation from construction projects.

Call (360) 407-6614 for cost information and how to obtain this document. This manual is being revised to make it applicable statewide.

*Local governments within Puget Sound are to adopt requirements which are at least equivalent to the 15 minimum requirements for construction listed in Chapter I-2 of the manual. Where Ecology has determined those local government requirements to be equivalent, compliance with those local requirements ensures compliance with Ecology's permit. Please note that local governments may have more stringent requirements than the requirements in Ecology's permit.*

Northwest Regional Office, Bellevue		
Ron Devitt	(206) 649-7028	King County
Bob Newman	(206) 649-7046	Island, San Juan, Skagit, Whatcom
Bob Wright	(206) 649-7060	Kitsap, Snohomish
Southwest Regional Office, Olympia		
Dick Schroeder	(360) 407-6273	Clallam, Clark, Cowlitz, Grays Harbor, Jefferson Lewis, Mason, Pacific, Pierce, Skamania, Thurston, Wahkiakum
Eastern Regional Office, Spokane		
Paul Turner	(509) 625-5181	Adams, Asotin, Columbia, Ferry, Franklin, Garfield, Grant, Lincoln, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman
Central Regional Office, Yakima		
Steve Huber	(509) 454-7298	Benton, Chelan, Douglas, Kittitas, Klickitat, Okanogan, Yakima



Best Management Practices result in clean stormwater runoff.  
Help protect our water.



Application for General Permit to  
Discharge Stormwater Associated with  
**Construction Activity**  
(Notice of Intent)

☐ Change of Information

Permit # SO3 - \_ \_ \_ \_ \_

(Please print in ink or type)

Please Read NOI Instructions Before Filling Out This Form

**I. Contact Person**

**II. Owner/Representative of Site**

(All correspondence will be mailed here)

Contact Name	Phone No.	Owner's Name	Phone No.		
Company		Company Name			
Mailing Address		Mailing Address			
City	State	Zip + 4	City	State	Zip + 4

**III. Site Location/Address**

**IV. Billing Address**

Site Name	Contact Name	Phone No.	
Street Address (or Location Description)	Company Name		
City (or nearest city)	Zip + 4	Mailing Address	
County	City	State	Zip + 4
Provide legal description if no address for site (attach separate sheet if necessary)			

**V. Receiving Water Information** (check all that apply)

A. Does your construction site discharge stormwater to:

- ☐ Storm drain system - Owner of storm drain system (name) \_\_\_\_\_
- ☐ Indirectly or directly to surface waters (e.g., river, lake, creek, estuary, ocean, wetland)
- ☐ Directly to ground waters of Washington state. ☐ Dry Well ☐ Drainfield ☐ Other

B. Name(s) of receiving water(s) \_\_\_\_\_

Initial discharge is to an unnamed receiving water? ☐ Yes ☐ No

**VI. Construction Activity Information**

1. Total area to be disturbed _____ Acres
2. Projected construction startup _____ / _____ ; projected completion date _____ / _____ month year month year

**VII. Stormwater Pollution Prevention Plan (SWPPP)**

Has a stormwater pollution prevention plan been developed?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
If NO, will a plan be developed prior to the start of construction?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Ecology must be notified that a SWPPP will be developed prior to the start of construction by checking the appropriate boxes above or by sending a follow-up letter to Ecology.		
<b>A stormwater pollution prevention plan must be developed prior to the start of construction.</b>		



### VIII. State Environmental Policy Act (SEPA)

If the SEPA process has not been completed at the time of NOI submittal, a follow-up letter must be sent to Ecology with the following information prior to Ecology granting permit coverage.

Has a SEPA review been completed? ☐ Yes ☐ No ☐ Exempt

Type of SEPA document ☐ DNS ☐ Final EIS

Agency issuing DNS, Final EIS, or Exemption \_\_\_\_\_; Date \_\_\_\_\_

Are you aware of an appeal of the adequacy of the SEPA document? ☐ Yes ☐ No

(If yes, please attach explanatory letter.)

**SEPA requirements must be complied with prior to permit issuance.**

### IX. Public Notice

The public notice must be published at least once each week for 2 consecutive weeks, in a single newspaper which has general circulation in the county in which the construction is to take place. See the NOI instructions for the public notice language requirements. Permit coverage will not be granted sooner than 31 days after the date of the second public notice. **Note: this NOI must be submitted to Ecology on or before the date of the first public notice.**

Provide the exact dates (mm/dd/yy) that the first and second public notices will appear in the newspaper:

Date of the first public notice \_\_\_\_ / \_\_\_\_ / \_\_\_\_; Date of second public notice \_\_\_\_ / \_\_\_\_ / \_\_\_\_

Name of the newspaper which will run the public notices \_\_\_\_\_

*Ecology is no longer requiring the submittal of the affidavit of publication.*

**A copy of the notice to be published must be provided along with the NOI.**

### X. Regulatory Status

A. <input type="checkbox"/> NPDES Permit (e.g., industrial stormwater) Permit No. _____	C. <input type="checkbox"/> Air Notice of Construction, Permit, or Order Agency _____
B. <input type="checkbox"/> State Waste Discharge Permit Permit No. _____	D. <input type="checkbox"/> State/USEPA Hazardous Waste ID No. _____

### XI. Certification of Permittee(s)

*"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."*

\_\_\_\_\_  
Owner/Representative's Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Owner/Representative's Signature

\_\_\_\_\_  
Date

Sign and return this document to the following address; for questions call (360) 407-6437 or 407-6436:

Washington Department of Ecology  
Water Quality Program  
Stormwater Unit  
PO Box 47696  
Olympia, WA 98504-7696

*The Department of Ecology is an equal opportunity agency and does not discriminate on the basis of race, creed, color, disability, age, religion, national origin, sex, marital status, disabled veteran's status, Vietnam Era veteran's status, or sexual orientation.*

# **Application Instructions for a General Permit to Discharge Stormwater Associated with CONSTRUCTION ACTIVITY**

## **Introduction**

This is an instruction document for the preparation of an application, referred to as a Notice of Intent (NOI), for coverage under a National Pollutant Discharge Elimination System (NPDES) General Permit for stormwater discharges associated with construction activity in the state of Washington. This NPDES General Permit (hereinafter called the General Permit) applies to stormwater discharges to surface waters and to storm drains.

Municipalities of less than 100,000 population, do not need to apply for construction sites which they own or operate.

Owners of construction sites of less than five acres, or which will retain on-site and discharge to the ground all stormwater associated with construction activity are not required to apply for coverage under the construction stormwater general permit.

## **Who Must Apply**

The owner of a construction site, where five acres or more of total land area will be disturbed must apply for coverage under the general permit if they have a discharge of stormwater associated with construction activity to a surface water or to a storm drain.

At sites for which a lease, easement, or other use agreement has been obtained from the site owner, the entity obtaining the use agreement shall be the permittee. In cases where the owner(s) of a site is (are) represented by a developer, the developer should be the permittee.

At sites where less than five acres of total land area will be disturbed, the owner is not required to apply unless the construction is "part of a larger common plan of development or sale." "Part of a larger common plan of development or sale" is a contiguous area where multiple separate and distinct construction activities may be taking place at different times on different schedules under one plan.

Industrial facilities already covered by the Industrial Baseline General Permit for their industrial activity, and which are planning construction which will disturb five or more acres of total land area, must complete this NOI.

## **When to Apply**

The permit application called a Notice of Intent (NOI) shall be submitted to Ecology on or before the date of the first public notice and at least 38 days prior to the start of construction activities (see Section IX). Ecology must have the permit application during the public comment period in order to provide the public access to the applications as required by WAC 173-226-130(5). **NOTE:** Ecology cannot grant permit coverage until 31 days after the date of the second Public Notice.

Ecology intends to notify applicants by mail of their status concerning coverage under the permit within 10 working days of Ecology's receipt of a complete NOI. An NOI is only deemed complete after a final SEPA determination has been made, the applicant has certified that a SWPPP will be developed prior to the start of construction, the 30 day public comment period has been satisfied, and all other NOI information has been supplied.

Upon receipt of a complete NOI Ecology will notify the applicant of their status either through written authorization of permit coverage or by sending a letter to the applicant giving a date when permit coverage will automatically commence. Coverage will begin from the date of Ecology's written authorization or will automatically commence on the date specified in Ecology's letter.

## **Where to Apply**

Mail the signed NOI to the following Ecology office:

Washington Department of Ecology  
Stormwater Unit  
P.O. Box 47696  
Olympia, WA 98504-7696

Applicants who discharge stormwater associated with construction activity to a storm drain operated by any of the following municipalities shall also submit a copy of the NOI to the municipality:

Seattle, King County, Snohomish County, Tacoma, Pierce County, Clark County, Spokane County, Washington  
Department of Transportation.

## **Fees**

There is no application fee. You will be billed for permit fees after the permit is issued. Call (360) 407-6425 for questions relating to fees.

## LINE-BY-LINE INSTRUCTIONS FOR COMPLETING THE NOI

### Completing the NOI; Notification of Coverage

The NOI is an official document committing the permittee to compliance with the requirements of the General Permit. It should be completed accurately, completely and legibly.

**Please print in ink or type.**

**Change of Information:** Check this box if information included in a previously submitted NOI application in which permit coverage was granted has changed. An example of a change could be a new contact person, billing address, or total area to be disturbed. Include your assigned permit number in the upper right hand corner of the NOI. Your assigned permit number is in the upper right hand corner of the first (title) page of your permit. Complete only those sections of the NOI that require changes. Please submit a transmittal letter which confirms/explains the change of information in the NOI.

**Permit Number:** Use only if you are reporting a “Change of Information”

### Section I - Contact Person

Give the name, address, and telephone number of the person who is available 24 hours a day to respond to emergencies, and to inquiries or directives from Ecology. The contact person should be someone who is completely familiar with the site, and charged with overseeing compliance with the permit requirements. This person could be an employee, a consultant, a developer, or a contractor.

### Section II - Owner/Representative of Site

Give the name, address and the telephone number of the person, company, firm, public corporation, municipality or any other entity which owns or legally represents the site. If the owner is the same as the contact person, enter “same as contact person” on the first line. The permit and all other correspondence will be sent to this address. An exception to this information is the billing address.

### Section III - Site Address

Enter the street address or location description (eg. Intersection of B & C streets, also include the county) for the construction site. Construction sites which do not have a street address must also provide a legal description of the location either in the space provided or by an attachment.

### Section IV - Billing Address

Indicate where the annual and final permit fee invoices should be sent. Also provide a contact person who can answer any questions on the billing invoices.

### Section V - Receiving Water Information

In Part A, check the appropriate boxes for receiving water information for the stormwater discharges from the construction site.

**In Part A.1** - Check this box if stormwater leaving your site enters a storm drain system, and indicate the name of the owner of the storm drain system; such as a municipality, flood control district, utility or private entity (e.g. industrial park)

**In Part A.2** - Check this box if stormwater flows directly or indirectly into or over adjacent properties, through ditches or right-of-ways to surface waters of the State; the definition of a surface water includes lakes, rivers, ponds, streams, salt waters, and wetlands.

**In Part A.3** - Check this box if stormwater from your site is discharged to the ground. Indicate by what method by checking one of the three choices. If you discharge stormwater only to the ground, you are not required to apply for coverage under the general permit.

**In Part B**, indicate the name of the first downstream receiving water(s) which has an assigned name. If stormwater is discharged to more than one receiving water, the names of each receiving water must be listed. Indicate whether the stormwater is initially discharged to an unnamed receiving water(s) prior to flowing into the named receiving water(s) by placing a check in the appropriate box. If the discharge is to an unnamed surface water which does not eventually drain to a named surface water (e.g. a pond with no outlet), enter a description of the receiving water (e.g., ponds, creek, etc.) and check “Yes”.

### Section VI - Construction Activity Information

Give the total land area in acres which will be disturbed during all phases of the construction project. This includes all clearing, grading, and excavating, and any other activity which disturbs the surface of the land.

Give the projected month/year when the construction activity will begin, and the anticipated month/year of completion of all soil disturbing and soil stabilization activity.

## Section VII - Stormwater Pollution Prevention Plan (SWPPP)

Applicants must develop and implement the SWPPP prior to the commencement of construction activities(s). Applicants may indicate completion of the SWPPP on the NOI form or certify that development of a SWPPP will occur prior to the commencement of construction activity. If not Ecology must be notified that a SWPPP will be developed prior to the start of construction, before permit coverage can be granted.

A stormwater pollution prevention plan (SWPPP) for construction sites is a documented plan primarily intended to control erosion and sedimentation caused by construction activity. These plans are not submitted to Ecology, but kept on-site or within reasonable access to the site, to be made available to Ecology and local governmental agencies upon request.

## Section VIII - State Environmental Policy Act (SEPA) Compliance:

Ecology cannot cover the applicant under the General Permit until the following SEPA information has been provided and the SEPA process has been satisfied.

Provide the following information:

- Whether SEPA review has been completed or exempt.
- The type of SEPA document prepared, i.e., a Determination of Nonsignificance (DNS) or a Final Environmental Impact Statement (EIS). The name of the agency which issued the DNS, the Final EIS, or which decided that the project was exempt from SEPA. Usually this agency is a representative of local government such as a city or county.
- Provide the date the agency issued the DNS or Final EIS.
- Whether you are aware of an administrative or judicial appeal of the adequacy of the SEPA document. If you check the yes box, provide a letter explaining the issues and status of the appeal.

If necessary the SEPA follow-up information may be supplied in writing after submission of the NOI.

## Section IX - Public Notice

The applicant must complete the 30 day public notice requirement prior to receiving permit coverage. The notice must be published at least once each week for 2 consecutive weeks, in a single newspaper which has general circulation in the county in which the construction is to take place with the following information:

- A statement that the applicant is seeking coverage under the Washington Department of Ecology's NPDES General Permit for Stormwater Discharges Associated with Construction Activities;
- The name, address and location of the construction site;
- The name and address of the applicant;
- A description of the applicant's construction activities and areas from which a stormwater discharge will occur, name(s) of receiving water(s); and
- The statement:  
"Any person desiring to present their views to the Department of Ecology concerning this application, or interested in the department's action on this application may notify the Department of Ecology in writing within 30 days of the last date of publication of this notice. Comments can be submitted to: Department of Ecology, P.O. Box 47696, Olympia, WA 98504-7696."

**NOTE:** Ecology is no longer requiring the submittal of the affidavit of publication. However, a typed copy of what will be submitted to the newspaper must be sent along with the NOI. The dates that the first and second public notices will run and the name of the newspaper in which the public notices will appear must also be provided.

**Please note:** that state law requires a 30 day public comment period prior to permit coverage, therefore permit coverage will not be granted sooner than 31 days after the date of the second public notice. The public notice may be published simultaneously with other notices such as State Environmental Policy Act notices, and Shoreline Permit notices provided the NOI is sent to Ecology on or before the date of the first public notice.

**Section X - Regulatory Status**

Parts A, B, and C request information on any existing NPDES (including stormwater permit for industrial activity), State Waste Discharge, and Air permits issued to the facility. In Washington, air emission permits are issued by local agencies or Ecology. They can be referred to by various names such as a permit, an order, or a Notice of Construction. In part D, indicate if your facility has been assigned a State/USEPA Hazardous Waste ID number, and list that number.

**Section XI - Certification by Permittee(s)**

This section should be read closely by the applicant. The responsible official or authorized representative of the owner shall print their name for clarity, then sign and date the document on the lines provided.

In the case of corporations, the NOI must be signed by a responsible corporate officer or a duly authorized representative, if such representative is responsible for the overall operation of the site from which the discharge originates.

For a partnership, the NOI must be signed by a general partner.

For a sole proprietorship, the NOI must be signed by the proprietor.

For a municipal, state or other public agency, the NOI must be signed by either a principal executive officer, ranking elected official, or other duly authorized employee.

**QUESTIONS**

Questions concerning proper completion of this form can be directed to the Department of Ecology by calling (360) 407-6437 or 407-6436.